

PATENT
02-11429



25189

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

BRACKETT, Ted J., et al.

Serial Number: 10/731,364

Examiner: Not yet known

Filed: December 9, 2003

Art Unit: Not yet known

For: **PAINT BRUSH AND MAKEUP BRUSH CLEANING DEVICE**

MAIL STOP MISSING PARTS

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER TO FILING LATE OATH OR DECLARATION

Dear Sir or Madam:

Applicants have enclosed an executed Declaration and Power of Attorney for each of the inventors, Ted J. Brackett and C. Martin Smith.

Enclosed is the fee required as surcharge as set forth in 37 C.F.R. §1.16(e) for late filing of an oath or declaration.

It is not believed that any additional fees are due; however, in the event any additional fees are due, the Examiner is authorized to charge Applicants' Attorney's Deposit Account No. 03-2030.

02/05/2004 HALI11 00000039 10731364

01 FC:1051

130.00 OP

Date: January 29, 2004

Respectfully submitted,

CISLO & THOMAS LLP

Daniel M. Cislo

Reg. No. 32,973



Enclosures

Declaration and Power of Attorney for Ted J. Brackett
Declaration and Power of Attorney for C. Martin Smith
Check in Payment of Surcharge Fee \$130.00

CISLO & THOMAS LLP
233 Wilshire Boulevard, Suite 900
Santa Monica, California 90401
Tel: (310) 451-0647
Fax: (310) 394-4477
Customer No.: 25,189
www.cislo.com

Z:\TMDOCS\02-11429\TRANSMITTAL LETTER TO FILING LATE OATH OR DECLARATION.DOC



CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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P.O. Box 1450
Alexandria, VA 22313-1450

on _____

Jan 29, 2004

Sarah A. Brown, Reg. No. 47,455

[Signature]
Date *1/29/2004*



Practitioner's Docket No. 02-11429

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for a continuation-in-part utility application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

PAINT BRUSH AND MAKEUP BRUSH CLEANING DEVICE, the specification of which was filed with the U.S. Patent Office on December 9, 2003.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS(S)
UNDER 35 U.S.C. SECTION 120**

I hereby claim the benefit, under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE
U.S. FOR BENEFIT UNDER 35 U.S.C. SECTION 120:**

U.S. APPLICATIONS		STATUS		
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
60/245,078	11/01/00			X (Provisional Application)
6,666,925 B2	11/01/01	X		

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Donald M. Cislo, Esq.	22,060
Charles H. Thomas, Esq.	25,710
Daniel M. Cislo, Esq.	32,973
Andrew S. Jordan, Esq.	33,917
Robert J. Lauson, Esq.	41,930
Kelly W. Cunningham, Esq.	43,570
Sarah A. Brown, Esq.	47,455
Andrew B. Chen, Esq.	48,508
Thomas A. Dougherty, Esq.	51,214

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**AUTHORIZATION OF ATTORNEY(S) TO ACCEPT AND
FOLLOW INSTRUCTIONS FROM REPRESENTATIVE**

The undersigned to this declaration and power of practitioner hereby authorizes the U.S. practitioner(s) named herein to accept and follow instructions from:

Daniel M. Cislo
Cislo & Thomas LLP
233 Wilshire Boulevard, Suite 900
Santa Monica, California 90401-1211

as to any actions to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. practitioner(s) and the undersigned. In the event of a change in the

person(s) from whom instructions may be taken, the U.S. practitioner(s) will be so notified by the undersigned.

SEND CORRESPONDENCE AND DIRECT TELEPHONE CALLS TO:

Daniel M. Cislo
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USA
Telephone: (310) 451-0647
Telefax: (310) 394-4477
Email: dancislo@cislo.com

Customer Number 25,189

DECLARATION

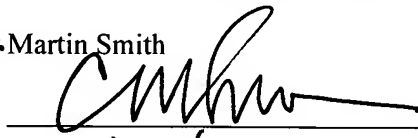
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Inventor Name:

C. Martin Smith

Inventor's Signature



Date

1/12/04

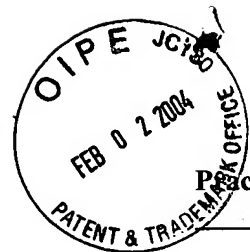
Mailing Address

10978 Ayres Avenue, Los Angeles, California, 90064

Country of Citizenship USA

Residence Los Angeles, California

Z:\TMDocs\02-11429\DECLARATION & POA FOR MARTIN SMITH.DOC



Practitioner's Docket No. 02-11429

PATENT

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Telefax: (310) 394-4477
Email: dancislo@cislo.com

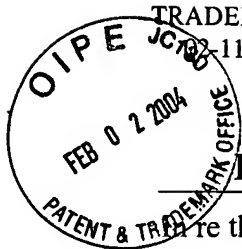
Customer Number 25,189

DECLARATION

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SIGNATURE(S)

Inventor Name:	Ted Brackett
Inventor's Signature	<u></u>
Date	<u>1/20/04</u>
Mailing Address	102 Rosecrans Avenue, Manhattan Beach, California, 90266
Country of Citizenship	USA
Residence	Manhattan Beach, California



TRADEMARK
107-11429



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P.O. Box 1450
Alexandria, VA 22313-1450
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CERTIFICATE OF FIRST CLASS MAILING

Dear Sir/Madam:

Enclosed herewith are the following:

1. Transmittal Letter to Filing Late Oath or Declaration (3 pages);
2. Combined Declaration and Power of Attorney for Ted J. Brackett (3 pages);
3. Combined Declaration and Power of Attorney for C. Martin Smith (3 pages);
4. Check No. 22694 in the amount of \$130.00 for filing fees; and
5. Acknowledgement Postcard;

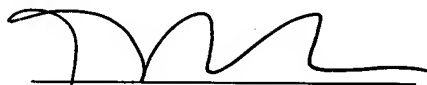
I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail under 37 C.F.R., § 1.8, on the date indicated herein and is addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
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Respectfully submitted,

CISLO & THOMAS LLP

Date: January 25, 2004


Sarah A. Brown
Reg. No. 47,455

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SAB/sd

Enclosures

As listed above

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